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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,249	01/31/2005	Christian Zechlin	884A.0051.U1(US)	8242
29683	7590	07/28/2006	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			NGUYEN, TUAN HOANG	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding. -

Office Action Summary

Application No.

10/501,249

Applicant(s)

ZECHLIN ET AL.

Examiner

Tuan H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/8/04 and 8/3/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6 and 8-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Elg Johannes et al. (International Publication No. WO 99/37106 hereinafter, "Elg").

Consider claim 1, Elg teaches a low power radio frequency transceiver arranged to form a network of communicating low power radio frequency transceivers comprising: a transmitter for transmitting packets of data (page 3 line 29 through page 4 line 9); and controlling the transmitter to transmit a series of messages of a first type outside the network of transceivers (page 6 lines 15-21), characterised by punctuating the series of

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messages of a first type with messages of a second type, transmitted within the network of transceivers, for maintaining synchronisation (page 9 lines 14-30).

Consider claim 2, Elg further teaches arranged to operate as a master of the radio network of slave transceivers (page 9 lines 14-30).

Consider claim 3, Elg further teaches the network of transceivers uses a first frequency hopping sequence (page 2 lines 13-26).

Consider claim 4, Elg further teaches the messages of a first type transmitted outside the network of transceivers are transmitted using a second frequency hopping sequence (page 9 lines 14-30).

Consider claim 5, Elg further teaches the messages of the second type are broadcast (page 11 lines 19-31).

Consider claim 6, Elg further teaches punctuates the series of messages of a first type with a message of a second type periodically (page 10 line 30 through page 11 line 6).

Consider claim 8, Elg further teaches the messages of the second type comprise a synchronisation word dependent upon the identity of the transmitting low power radio

frequency transceiver (page 9 lines 11-32).

Consider claim 9, Elg further teaches messages of the second type are transmitted at a frequency dependent upon the identity of the transmitting low power radio frequency transceiver (page 9 lines 11-32).

Consider claim 10, Elg teaches maintaining synchronisation in a network of communicating low power radio frequency transceivers comprising a master transceiver and at least one slave transceiver (page 3 line 29 through page 4 line 9) characterised by the step of: punctuating a series of messages of a first type transmitted by the master transceiver outside the network of transceivers, with messages of a second type transmitted within the network of communicating transceivers for maintaining synchronization (page 9 lines 14-30).

Consider claim 11, Elg teaches a storage medium for data, comprising computer code for providing, in a low power radio frequency transceiver, punctuating transmission of a series of messages of a first type comprising a first synchronisation word independent of the identity of the low power radio frequency transceiver, with messages of a second type comprising a synchronisation word dependent upon the identity of the low power radio frequency transceiver (page 9 lines 11-32).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Elg Johannes et al. (International Publication No. WO 99/37106 hereinafter, "Elg") in view of Davies Robert (International Publication No. WO 02/01811).

Consider claim 7, Elg teaches a low power radio frequency transceiver arranged to form a network of communicating low power radio frequency transceivers comprising: a transmitter for transmitting packets of data (page 3 line 29 through page 4 line 9); and controlling the transmitter to transmit a series of messages of a first type outside the network of transceivers (page 6 lines 15-21), characterised by punctuating the series of messages of a first type with messages of a second type, transmitted within the network of transceivers, for maintaining synchronisation (page 9 lines 14-30).

Elg does not explicitly show that the messages of the second type do not initiate a response from any of the transceivers in the network.

In the same field of endeavor, Davies teaches the messages of the second type do not initiate a response from any of the transceivers in the network (page 10 lines 4-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use, the messages of the second type do not initiate a response from any of the transceivers in the network, as taught by Davies, in order to provide for broadcasting a series of inquiry message, each in the form of a plurality of predetermined data field has arranged according to a first communication protocol, and for adding to each inquiry message prior to transmission an additional data field for polling at least one secondary station.

Conclusion

6. Any response to this action should be mailed to:

Mail Stop_____ (Explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents

P.O. Box 1450

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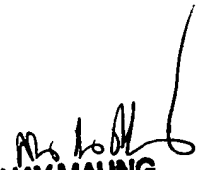
Alexandria, VA 22313

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan H. Nguyen whose telephone number is (571) 272-8329. The examiner can normally be reached on 8:00Am - 5:00Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Maung Nay A. can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information Consider the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tuan Nguyen
Examiner
Art Unit 2618


NAY MAUNG
SUPERVISORY PATENT EXAMINER